

March 5, 1976

PRESIDENT: The Committee amendments are adopted. Senator Bereuter.

SENATOR BEREUTER: Mr. President, members of the Legislature. The purpose of this legislation is to increase the amount of eyes that are available through donor arrangements in the State of Nebraska. It is very candidly based upon experience we have had demonstrated to us by the State of Iowa. The State of Iowa has amended their Uniform Anatomical Gift Act to provide that licensed embalmers, what we call licensed morticians and funeral directors, can remove or enucleate eyes after they have had a course from the University of Iowa, Department of Ophthalmology and receive this certificate of acceptability. This has increased the amount of eyes.... This has been a factor in increasing the amount of eyes by 200 percent in Iowa that are available for donors ... through donors. It has also been shown that since they instituted the course in 1969, a course that incidentally a number of Nebraskans have taken, 17 percent of the enucleation done in the State of Iowa has been done by their licensed embalmers.

This bill would provide that once a licensed funeral director or mortician has taken such a course and then been certified by the Director of our Department of Ophthalmology at the Med Center, he would be licensed to enucleate eyes.

It also provides some protection and liability to the funeral directors operating under those procedures. It corrects an error in the placement of some wording in the original act some years ago. Third, it removes the language which would permit a relative of the deceased to revoke a donation given by the deceased after the deceased death.

This bill has the support of the Lions Club in the State of Nebraska and various chapters thereof. It also has received the support of the Nebraska Funeral Directors Association and a number of other organizations. There was no opposition at the hearing. I move for the advancement of the bill to E & R initial.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature. This bill brings up a subject which, in this society, is very ticklish to a lot of people and that is the subject of death, dead bodies, departed loved ones and the significance that a person who is dead may still have in the minds and on the emotions of those who are living.

If a bill like this is passed it strikes language which says for religious, emotional or ... there's another category I think of reasons the next of kin can revoke such an anatomical gift.

I believe the Legislature should think very carefully about this proposal, the Section that I'm mentioning, before you advance this bill.